

Honorable Judge John C. Coughenour

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MALIK C. GARRETT,

Defendant.

NO. CR21-121 JCC

~~[PROPOSED]~~

PROTECTIVE ORDER

This matter comes before the Court on the Stipulated Motion for a Protective Order regarding discovery materials, as permitted by Fed. R. Crim. P. 16(d). Having considered the record and files herein, the Court finds there is good cause to grant the stipulated motion, and hence:

IT IS HEREBY ORDERED that the discovery materials discussed in the Motion for the Protective Order and referred to therein as "Protected Material," marked specially as "Produced Subject to a Protective Order," may be produced to counsel for the Defendants in this case.

IT IS FURTHER ORDERED that possession of Protected Material is limited to the attorneys of record in this case and their staff, and to any investigators, expert witnesses, and

1 other agents the attorneys of record retain in connection with this case, collectively referred  
2 to as “the defense team.” The attorneys of record, and their investigators, expert witnesses,  
3 and other agents may review Protected Material with each Defendant. Each Defendant may  
4 inspect and review Protected Material, but shall not be allowed to possess, photograph, or  
5 record Protected Material or otherwise retain Protected Material or copies thereof.

6 IT IS FURTHER ORDERED that defense counsel shall not provide Protected  
7 Material, or copies thereof, to any other person outside his/her law office, who is not a  
8 member of the defense team, including the Defendants or their family or associates. Any  
9 Protected Material sent to the Federal Detention Center (FDC) must be sent with the  
10 designation as Protected so that the FDC may maintain all copies for each Defendant’s  
11 review in the Education Law Library.

12 IT IS HEREBY FURTHER ORDERED that the Defendant, defense counsel, and  
13 others to whom disclosure of the content of the Protected Material may be necessary to assist  
14 with the preparation of the defense, shall not disclose the Protected Material or its contents,  
15 other than as necessary for the preparation of defenses at trial and in subsequent appellate  
16 proceedings, if necessary.

17 IT IS FURTHER ORDERED that if defense counsel finds it necessary to file any  
18 documents marked as Protected Material, the material shall be filed under seal with the  
19 Court.

20 Nothing in this Protective Order prohibits defense counsel from showing the  
21 Protected Material, or reviewing its contents, with the Defendant or with others to whom  
22 disclosure may be necessary to assist with the preparation of the defense at trial and in  
23 subsequent appellate proceedings, if necessary.

24 Nothing in this Protective Order prohibits defense counsel from disputing the  
25 designation of material as Protected Material and, if agreement cannot be reached between  
26 the parties, to seeking a determination by this Court.

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1 At the conclusion of the case, the Protected Material shall be returned to the United  
2 States, or destroyed, or otherwise stored in a manner to ensure that it is not subsequently  
3 duplicated or disseminated in violation of this Protective Order.

4 DATED this 29th day of July 2021.

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8 John C. Coughenour  
9 UNITED STATES DISTRICT JUDGE

10 Presented by:

11  
12 /s/ Cecelia Gregson  
13 CECELIA GREGSON  
14 Assistant United States Attorney  
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